

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the XX Continuation-In-Part Pursuant to 37 C.F.R. 1.60  
\_\_\_\_\_ Divisional Application Pursuant to 37 C.F.R. 1.60

Of: Bradley Jendersee and Robert Lashinski

Serial No.: 08/326,023 Art Unit No.:

Filed: October 14, 1994 Examiner:

For: **STENT DELIVERY AND DEPLOYMENT METHOD**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:


**DECLARATION OF JANET KAISER CASTANEDA**

I hereby declare under penalty of perjury that the attached is a true copy of the original application, declaration and drawings of Patent Application Serial No. 08/326,023, as filed on 19 October 1994 of which the enclosed application is a 37 C.F.R. 1.60

XX Continuation \_\_\_\_\_ Division.

I hereby declare that all statements made herein of my own knowledge are true and that all statements; made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonments, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

10/6/95  
Dated

  
Janet Kaiser Castaneda  
Reg. No. 33,228  
Attorney for Applicant(s)



**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c))-- SMALL BUSINESS CONCERN**

Applicant or Patentee: Bradley Jendersee, Robert Lashinski and Michael D. Boneau

Serial or Patent No.: \_\_\_\_\_ Filed or Issued: \_\_\_\_\_

Title: STENT DELIVERY AND DEPLOYMENT METHOD

I hereby declare that I am

\_\_\_\_\_ the owner of the small business concern identified below:

XX an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: APPLIED VASCULAR ENGINEERING, INC..

ADDRESS OF CONCERN: 5345 Skylane Boulevard, Santa Rosa, CA 95403

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods for the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

\_\_\_\_\_ the preliminary amendment filed herewith with title as listed above.

XX the application identified above.

\_\_\_\_\_ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

XX No such person, concern, or organization exists.

\_\_\_\_\_ Each such person, concern, or organization is listed below.

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_ Individual      \_\_\_\_ Small Business Concern      \_\_\_\_ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: ROBERT LASHINSKI

TITLE OF PERSON SIGNING OTHER THAN OWNER: \_\_\_\_\_

ADDRESS OF PERSON SIGNING: \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE: \_\_\_\_\_

FULL NAME  
OF INVENTOR:

1-80  
Jendersee Brad  
Last Name First Name Middle Name or Initial

RESIDENCE &  
CITIZENSHIP:

Santa Rosa California CA U.S.A.  
City State or Country Country of Citizenship

POST OFFICE  
ADDRESS:

5345 Skylane Blvd., Santa Rosa, California 95403  
Address City State or Country Zip Code

FULL NAME  
OF INVENTOR:

20  
Lashinski Robert  
Last Name First Name Middle Name or Initial

RESIDENCE &  
CITIZENSHIP:

Santa Rosa California CA U.S.A.  
City State or Country Country of Citizenship

POST OFFICE  
ADDRESS:

5345 Skylane Blvd., Santa Rosa, California 95403  
Address City State or Country Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 10/14/94

X B/L  
Brad Jendersee

Date: 10-14-94

X [Signature]  
Robert Lashinski

Law Offices of Larry D. Johnson  
Telephone (415) 499-8822



Applicant or Patentee: Brad Jendersee & Robert Lashinski  
Serial No.: \_\_\_\_\_ Filing Date: \_\_\_\_\_  
Patent No.: \_\_\_\_\_ Issued: \_\_\_\_\_  
For: STENT DELIVERY AND DEPLOYMENT METHOD

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27(b))--INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office and with regard to the invention entitled

STENT DELIVERY AND DEPLOYMENT METHOD

described in

- ☒ the application filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- ☐ no such person, concern or organization  
☒ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME: Applied Vascular Engineering, Inc.  
ADDRESS: 5345 Skylane Blvd.  
Santa Rosa, California 95403

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR: Brad Jendersee

Date: 10/14/94

B/L  
Signature of Inventor

NAME OF INVENTOR: Robert Lashinski

Date: 10-14-94

RL  
Signature of Inventor



Inventor or Patentee: Brad Jendersee & Robert Lashinski  
Serial No.: \_\_\_\_\_ Filing Date: \_\_\_\_\_  
Patent No.: \_\_\_\_\_ Issued: \_\_\_\_\_  
For: STENT DELIVERY AND DEPLOYMENT METHOD

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(F) and 1.27(c))--SMALL BUSINESS CONCERN

I hereby declare that I am  
☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act  
on behalf of the concern identified below:

NAME OF CONCERN: Applied Vascular Engineering, Inc.  
ADDRESS OF CONCERN: 5345 Skylane Blvd.  
Santa Rosa, California 95403

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled STENT DELIVERY AND DEPLOYMENT METHOD by inventors Brad Jendersee & Robert Lashinski described in:

☒ the application filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_.  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME: n.a.  
ADDRESS: \_\_\_\_\_

[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Brad Jendersee  
TITLE OF PERSON OTHER THAN OWNER: President  
ADDRESS OF PERSON SIGNING: 5345 Skylane Blvd.  
Santa Rosa, CA 95403

SIGNATURE B/C DATE 10/14/84

Full Name of Sole or Third Inventor: **MICHAEL D. BONEAU**

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Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence:

Citizenship: United States

10 Post Office Address: same